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In re Application of
HATANAKA et al.
Application No.: 10/069,112
PCT No.: PCT/JP00/05770
Int. Filing Date: 25 August 2000
Priority Date: 27 August 1999
Attorney Docket No.: 020231
For: DATA DISTRIBUTION SYSTEM AS
WELL AS DATE SUPPLY DEVICE,
TERMINAL DEVICE AND RECORDING
DEVICE FOR THE SAME

DECISION ON PETITION

This is a response to applicants' "Request to Correct International Filing Date on Notification of Missing Requirements" filed 19 June 2002.

On 25 August 2000, applicants filed international application PCT/JP00/05770 which claimed a priority date of 27 August 1999. A proper Demand was filed with the International Preliminary Examining Authority prior to the 19th month from the earliest claimed priority date. Accordingly, the thirty-month time period for submitting the requisite basic national fee in the United States of America expired at midnight on 27 February 2002.

On 27 February 2002, applicant filed a Transmittal Letter (PTO-1390) requesting entry into the national stage in the United States of America under 35 U.S.C. 371. Filed with the Transmittal Letter were, *inter alia*, the requisite basic national fee of \$890, a copy of the international application, a translation of the international application; and a preliminary amendment. The transmittal listed the international filing date as "August 20, 2000."

On 07 May 2002, the United States Designated/Elected Office mailed a Notification of Missing Requirements (PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge under 37 CFR 1.492(e).


On 19 June 2002, applicant filed "Response to Notification of Missing Requirements under 35 USC 371" which was accompanied by a declaration and a "request to correct the international filing date on the Notification of Missing Requirements under 35 U.S.C. 371 to read 8/25/00."

A review of the application file reveals that the correct international filing date is 25 August 2000, therefore, applicants' request is GRANTED.

The declaration filed on 19 June 2002 is in compliance with 37 CFR 1.497(a) and (b). The application has an international filing date of 25 August 2000 under 35 U.S.C. 363 and a 35 U.S.C. 371(c) date of **19 June 2002**.

This application is being forwarded to the United States/Elected Office to continue national stage processing of the application including: (1) changing the international filing date of the application in PALM to 25 August 2000; and (2) preparing and mailing a NOTIFICATION OF ACCEPTANCE (Form PCT/DO/EO/903).




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